

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PIPE FITTERS' RETIREMENT FUND, LOCAL)	
597; PIPE FITTERS' WELFARE FUND, LOCAL)	
597; PIPE FITTERS' TRAINING FUND, LOCAL)	CIVIL ACTION
597; CHICAGO AREA MECHANICAL)	
CONTRACTING INDUSTRY IMPROVEMENT)	NO.: 16-CV-4193
TRUST; THE PIPE FITTERS' ASSOCIATION,)	
LOCAL 597 U.A.; PIPE FITTERS' INDIVIDUAL)	JUDGE: GUZMAN
ACCOUNT and 401(K) PLAN; and PIPE)	
FITTING COUNCIL OF GREATER CHICAGO,)	MAGISTRATE
)	JUDGE: COX
Plaintiffs,)	
)	
vs.)	
)	
J & B MECHANICAL, INC., an)	
Illinois Corporation,)	
)	
Defendant.)	

MOTION FOR FINAL JUDGMENT IN SUM CERTAIN

Now come Plaintiffs, the PIPE FITTERS RETIREMENT FUND, LOCAL 597, *et al.*, by and through their attorneys, JOHNSON & KROL, LLC, and move this Honorable Court for entry of Final Judgment in favor of Plaintiffs and against Defendant J & B MECHANICAL, INC. ("J&B") and in support thereof, state as follows:

1. On April 21, 2016, Plaintiffs filed their Complaint against Defendant J&B in the above-captioned matter.
2. On June 3, 2016, this Honorable Court entered an Order of Default against Defendant J&B. (Docket No. 14).
3. Pursuant to the Order of Default, Plaintiffs were granted leave to "petition this Court at a later date for entry of a final judgment in sum certain to include any contributions, 401(k) elective deferrals, liquidated damages and interest owed by the Defendant J & B

MECHANICAL, INC. for the months of February 2016, March 2016, and April 2016, along with their attorneys' fees and costs expended in preparing and bringing this lawsuit pursuant to the Collective Bargaining Agreement, Trust Agreements and 29 U.S.C. § 1132(g)(2)(D)." (Docket No. 14).

4. J&B owes the Plaintiffs \$6,144.33 in unpaid contributions for the month of May 2016. (Affidavit of Michael Maloney is attached as Exhibit 1).
5. As a result of J&B's untimely submission of monthly contributions, J&B owes the Plaintiffs liquidated damages in the aggregate amount of \$2,799.86. (Exhibit 1).
6. Defendant J&B is required to pay the Plaintiffs' reasonable attorney's fees and costs pursuant to the Collective Bargaining Agreement, Trust Agreements and 29 U.S.C. §1132(g)(2)(D).
7. To date, Plaintiffs have incurred \$4,371.35 in attorney's fees and costs. (Affidavit of Nicollette L. Khuans is attached as Exhibit 2).
8. A proposed Final Judgment in Sum Certain Order has been submitted to the Court.

WHEREFORE, Plaintiffs request the following:

- A. That a Final Judgment be entered in favor of Plaintiffs and against Defendant J&B in the aggregate amount of \$13,315.54, which is itemized as follows:
 1. \$6,144.33 in unpaid contributions for the month of May 2016;
 2. \$2,799.86 in unpaid liquidated damages for the period of August 2015 through May 2016; and
 3. \$4,371.35 in attorney's fees and costs.
- B. That Plaintiffs have such other and further relief as the Court may deem just and equitable

all at the Defendant's cost, pursuant to 29 U.S.C. §1132(g)(2)(E).

Respectfully submitted,

**PIPE FITTERS' RETIREMENT FUND,
LOCAL 597 *et al.***

/s/ Nicollette L. Khuans - 6320914
One of Plaintiffs' Attorneys

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